

**Remarks/Arguments**

**Overview**

Claims 1-11 remain in the application. Claims 1, 2, 7 and 8 have been amended. Applicants believe no new matter has been added by the foregoing amendment, full support therefore being shown in the drawings and specification as filed. All claims remaining in the application are believed to be in condition for allowance.

Reconsideration and reexamination of the application is respectfully requested in view of the referenced amendment and the following remarks.

**Objection to Drawings**

The Examiner has objected to Figure 3 for being difficult to interpret due to quality issues. A replacement drawing has been provided with this amendment to improve the quality of the lines, numbers and reference characters of the drawing, and to provide for satisfactory reproduction characteristics. Applicants respectfully submit that the correction to the drawing is not intended to, and does not introduce new matter. Applicants believe that the objection to the drawing has been overcome by this submission, and request that the objection be withdrawn.

**Amendments to the Specification**

In the specification, as requested by the Examiner, amendments have been introduced to correct minor typographical problems. Applicants respectfully submit that the amendments to the specification are not intended to, and do not introduce new matter. Applicants believe that the objection to the disclosure has been overcome by this submission, and request that the objection be withdrawn.

Additionally, Applicants have submitted inadvertently omitted material to replace blank page 2 of the application as originally filed. Applicants submit that the

requirements of 37 CFR §1.57(a) are satisfied such that this amendment to the specification should be deemed acceptable. The present application was filed on September 30, 2004, after the effective date of September 21, 2004 for 37 CFR §1.57(a). A priority claim was present on the filing date, along with a certified copy of the foreign priority application. The inadvertently omitted material was completely contained in the prior-filed application as evidenced by page two of the certified copy, already contained in the present application file and in the English language.

### **Claim Rejections under 35 U.S.C. §112**

Claims 2 and 8 stand rejected under 35 U.S.C. §112, ¶ 2 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Claims 2 and 8 have been amended to provide antecedent basis for “predicted amount of free water” such that this §112 rejection has been overcome.

### **Claim Rejections under 35 U.S.C. §102**

Claims 1, 4 and 7 stand rejected under 35 U.S.C. §102(b) as being anticipated by Battistella, U.S. Patent 6,023,950, “Batistella”. These rejections are respectfully traversed.

Applicants respectfully submit that Batistella fails to teach or suggest all of the limitations of independent claims 1 and 7. Specifically, Batistella fails to teach or suggest calculating a load equivalent weight based on the specific absorption and on the amount of water absorbed by the load, the load equivalent weight being related to the load in the machine and being used for controlling the program thereof as recited in claim 1; or to calculate a load equivalent weight based on the specific absorption and on the amount of water absorbed by the load, the load equivalent weight being related to the load in the machine as recited in claim 7.

Applicants direct the Examiner's attention to column 3, lines 20-24 where Batistella teaches of acquiring the weight of the wash load introduced into the drum prior to introducing water to the wash load.

At this point the machine, upon being given a further command or by acquiring it directly in some other manner, which is not a part of the present invention, acquires information concerning the weight of the washload introduced in the drum.

After acquiring the weight of the wash load, Batistella introduces a definite amount of water based upon the weight of the wash load. As described in column 3, lines 30-35:

As a result, the washing machine fills in the amount of water corresponding to the total weight of the washload as detected directly or fed as an input into the programming system by suitable means. For instance, 12.5 liters of water would be filled in for a washload with a total weight of 3 kg, as shown in FIG. 2.

As Batistella does not add water to the load until after acquiring the load weight, it follows that Batistella does not teach or suggest calculating a load equivalent weight based on the specific absorption and on the amount of water absorbed by the load as recited in the independent claims. Applicants respectfully submit that claims 1, 7 and all claims depending therefrom are allowable over Batistella for at least this reason.

### **Claim Rejections under 35 U.S.C. §103**

Claims 2 and 8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Battistella in view of Cracraft, U.S. Pat. No. 5,768,729. Claims 3 and 9-11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Battistella in view of Wickremasinghe, U.S. Pat. No. 5,493,877. Claims 5 and 6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Battistella in view of Civanelli, U.S. Pat. No. 5,671,494. These rejections are respectfully traversed.

Applicants respectfully submit that claims 2-6 and 8-11 are allowable over the cited references for at least the same reasons presented above with respect to claims 1 and

7. As each of these claims depend from, either directly or indirectly, and further distinguish allowable base claims, they should also be deemed allowable.

## Conclusion

All of the stated grounds of rejection have been properly traversed or rendered moot. It is believed that a complete response has been made to all of the outstanding rejections, and Applicants therefore respectfully request that this amendment be entered.

No fees or extensions of time are believed to be due in connection with this filing. However, please consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 23-1660.

It is respectfully submitted that the claims are allowable over the prior art of record. Early notification of allowability is respectfully requested.

Respectfully submitted,

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